

MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION

January 27, 2009

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:30 AM by Chair Susan Schaefer Kliman.
2. ROLL CALL - Board Members in Attendance: Sheila Bowen, Karen Cesare, Dawn Garcia, Stuart Lane, Chet Pearson, Susan Schaefer Kliman, and Howell "Chip" Shay. Absent: Robert Roos and Claudia Perchinelli. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Melissa Cornelius.
3. CALL TO THE PUBLIC – No members of the public spoke.
- 4.1 ADOPTION OF MINUTES – Ms. Garcia moved to approve the December 18, 2008 minutes. Mr. Shay seconded. Motion Carried.
- 4.2 CORRECTION OF MINUTES – November 25, 2008 Minutes, Agenda Item 5.B.9 should be corrected as: Aida Milena Aguirre, Architect P.E. (Civil) #34318. Ms. Bowen moved to correct the November 25, 2008 minutes as shown. Ms. Garcia seconded. Motion Carried.
5. ENFORCEMENT MATTERS
 - Review, Consideration and Possible Vote on the following:**
 - A. Proposed Dismissal
 1. M08-100 Carl Neil Ott, P.E. (Environmental) #39855 – Ms. Cesare moved to dismiss this case. Mr. Garcia seconded. After discussion, Motion failed (Nay: Pearson, Kliman, Bowen, and Shay. Yea: Garcia, Lane and Cesare.

Mr. Lane moved to refer the case back to Staff for additional investigation. Mr. Shay seconded. Motion Carried. (Ms. Garcia: Nay)
 - B. Proposed Letters of Concern
 1. M08-005 Paragon Architects (Victor R. Bolduc, Architect #22414 and Bruce Jones, Architect #42053) – Mr. Lane moved to have the Board issue a letter of concern to the principals of Paragon Architect, LLC. Ms. Garcia seconded. After discussion, Motion Carried.

Dr. Schaefer Kliman instructed Staff to place this issue on the next Agenda for the Legislation & Rules Committee for a possible substantive policy statement regarding clear disclosure on web site or advertising; what the minimum requirements need to be disclosed of a firm's and registrant's involvement in prior projects while at other firms.

2. M09-032 Manuel B. Rojo, Architect #20752 – Mr. Lane moved to issue a Letter of Concern to Respondent. Ms. Garcia seconded. Mr. Rojo addressed the Board. After discussion, Motion Failed unanimously.

Ms. Garcia moved to dismiss the case. Mr. Lane seconded. Motion Carried.

C. Enforcement Advisory Committee Candidates

1. Frank A. Stephenson, P.E. (Civil) #23580 – Mr. Lane moved to accept Mr. Stephenson as an Enforcement Advisory Committee member. Ms. Bowen seconded. After discussion, Motion Carried.

2. Sake H. Reindersman, Architect #42451 – Mr. Shay moved to accept Mr. Reindersman as an Enforcement Advisory Committee member. Mr. Lane seconded. After discussion, Motion Carried.

3. Joseph A. Kurrus, P.E. (Civil) #46528 – Ms. Bowen moved to accept Mr. Kurrus as an Enforcement Advisory Committee member. Ms. Garcia seconded. After discussion, Motion Carried.

6. HOME INSPECTOR ENFORCEMENT MATTERS

Review, Consideration and Possible Vote on the following:

A. Proposed Consent Agreements

1. HI09-001, William J. Wade, CHI #40517 – Mr. Shay moved to accept Respondent's signed Consent Agreement encompassing the following: Letter of Reprimand; Restitution: Respondent shall pay restitution to Paul Furman of AJF Engineering in the amount of \$1,314.60; and Cost of Investigation: Respondent shall pay cost of investigation in the amount of \$100.00. Ms. Garcia seconded. After discussion, Motion Carried.

7. **Review, Consideration, and Possible Vote on the following:**

EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)

1. Granting of professional or in-training registration
2. Approval to sit for the professional or in-training examination
3. Recommendation for denial of professional or in-training registration
4. Recommendation for denial of professional or in-training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 7.1, 7.2, 7.3 and 7.4. Mr. Pearson seconded. Motion Carried.

8. DIRECTOR'S REPORT

1. Proposed Letter to City of Phoenix / Barbara Stocklin (M06-153)

The Board members reviewed the draft of a proposed letter from the Board to Ms. Stocklin and agreed with the content. No action was taken.

Mr. Dalrymple addressed the Board, advising of the following issues:

Rule Changes

Governor Brewer has frozen all rule making activity until at least the end of March. The exceptions are for rules that have a critical health, safety and welfare component.

Staff Changes

The Board is now down five (5) authorized positions due to the hiring freeze and budget cuts.

Budget

Last month the Board was notified by the Governor's staff to submit a budget management plan reflecting a 7% budget reduction (\$122,164). The proposed plan was submitted and calls for the following reductions from the authorized 2009 budget:

- One (1) Investigator position. (currently vacant)

- Two (2) Customer Service Representative positions. (currently vacant)

- A 50% reduction in travel costs.

We did not hear anything from the Governor's office prior to the transition. The plan is still a viable plan for reducing the Agency's spending up to approximately \$122,000.

Today's *Arizona Republic* had an article stating the new Governor has appointed a new head of the Governor's Office of Strategic Planning and Budgeting. We expect to hear from that office in the near future.

Revenue

The Board's revenue is down and we are working to address it.

Computers

The Board is still communicating with the Governor's Information Technology Agency ("GITA"), Department of Administration ("DOA"), and NIC about the switch from the AS/400 system ("Program") to a newer more flexible platform for application and registration tracking. DOA has apparently lost their capability to make changes to the Program or respond to our requests for renewal lists, registration lists and make other changes to the Program because of retirements. We are still in discussions with GITA, DOA, NIC and Cavu to see if a conversion program and new computer program can be done.

Board Appointments

Nothing has happened since last month's appointment of Claudia Perchinelli to replace Ronald Starling, P.E. (Structural).

9. BOARD CHAIR'S REPORT – Nothing at this time.

10. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee ("L&R") – Dr. Schaefer Kliman will provide a report to the Board next month as the L&R Committee will be meeting today.
2. Budget Committee – Nothing to report.
3. Home Inspector Rules and Standards Committee ("HIRS") – Mr. Shay will provide a report to the Board next month as the HIRS Committee will be meeting February 4, 2009.
4. Environmental Remediation Rules and Standards Committee ("ERRS") – Mr. Pearson will provide a report to the Board next month as the ERRS Committee will be meeting next month.

11. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

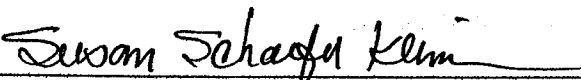
1. National Council of Examiners for Engineering and Surveying ("NCEES") – Nothing to report.
2. National Council of Architectural Registration Boards ("NCARB") – Nothing to report.
3. Council of Landscape Architectural Registration Boards ("CLARB") – Nothing to report.
4. National Association of State Boards of Geology ("ASBOG") – Nothing to report.

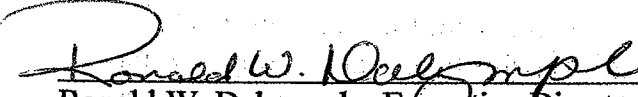
12. FUTURE BOARD MEETINGS – Tuesday, February 24, 2009 at 9:30 AM

13. FUTURE AGENDA ITEMS – Nothing at this time.

14. ADJOURNMENT – Meeting adjourned at 10:39 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION


Dr. Susan Schaefer Kliman, Chair


Ronald W. Dalrymple, Executive Director